Secrets. II—27—40,000—27-10-38.

(1938) Department.

SERIES.

P5/E

G.O. No.

Dated

[Despatch Abstract.]

GOVERNMENT OF MADRAS
Abstract
**

PUBLIC SERVICES - District Munsifs - Revision of scale of pay - Sanctioned

Home Department.

G.O. (Ms) No. 1815. Dated, the 12th May 1948

READ - the following:

From the High Court, R.O.C. No. 3609 of 1947-B2 dated the 29th July 1947.

ORDER:

His Excellency the Governor of Madras sanctions with effect from 1st April 1948, the scale of pay of Rs. 300-50/2-500 for District Munsifs. The pay of the District Munsifs effected by this revision will be fixed in the new scale with reference to the Fundamental Rules. Those already drawing Rs. 300 in the existing scale will be allowed to count the service rendered on that stage of pay towards increment in the new scale.

2. The pay of an officer appointed by transfer from the subordinate service to the post of District Munsiff shall be fixed at the stage next higher than the minimum of the revised scale, namely, Rs. 300, if he is drawing less than the pay at such stage.

(By order of His Excellency the Governor)

O. PULLA REDDI
Secretary to Government.

To the Honourable the Chief Justice, High Court, Madras.
To the Accountant-General, through Finance Department.

True copy/

Office Assistant,
Madras Record Office, Egmore.

Public (Separation) Department.

CONVERSION OF THE SCALES OF PAY OF THE DISTRICT MUNSIFS TO BRING IT IN LINE WITH THE PAY OF SUB-DIVISIONAL MAGISTRATES.

The Cabinet Committee has accepted the recommendation of the Special Committee to have a combined cadre for Civil and Criminal Judiciary and has accordingly decided to put in one single cadre on Rs. 250-50/2-700 (E.B.500) the following officers:

(1) Sub Divisional Magistrates
(2) Sub Judges (Rs. 550-700) and
(3) District Munsifs (Rs.250-500)

This step was taken on grounds of administrative necessity and convenience and also for removing certain anomalies if the categories are not integrated as above. In the new set up, officers selected for the combined judiciary would be posted either as Sub-Divisional Magistrates or as District Munsifs according to the exigencies of service. Also in places where the "Simultaneous Method" is to be applied, the same officer will do both Civil and Criminal work. In certain other districts, District Munsifs with a light file will be empowered as First Class Magistrates with a view to relieve congestion in the neighbouring First Class Magistrate's Court. It may not be possible to have the existing scale of pay for District Munsifs (upto Rs. 500) and to have a higher scale (/.250-700) for Sub Divisional Magistrates. Hence the above decision to bring the two cadres of Sub Judges and District Munsifs into a continous time-scale of Rs. 250-700. This will incidentlally remove the anomalous distinction between Revenue Divisional Officers (mostly less qualified than District Munsifs) and Munsif Magistrates.

It has to be borne in mind, however, that the above decision does not imply any immediate increase in the pay for Munsifs(and hence the calculations below need not take into account. D.A.)

There are at present 141 District Munsifs and 39 sub-judges and the cost of bringing these officers into single time-scale is shown below:-

(1)	Average cost of existing 39 Sub Judges on the scale of Rs. 550-50/2-700 (Average cost Rs.646.7) for one year i.e.646.7 x 39 x 12	Rs. 3,02,666
(2)	Average cost of 141 Dt. Munsifs on a scale of Rs.250-50/2-500 (Average cost Rs.400) i.e. Rs. 400 x 141 x 12.	6,76,800
(3)	Total of Item (1) and (2)	9,79,466
(4)	Average cost per annum if all the Dt.Munsifs and Sub Judges are brought on to the scale of Rs.250-700 (Average cost Rs.480) of 180 officers (141 Dt.Munsifs and 39 Sub Judges) i.e. Rs. 480 x 180 x 12.	10,36,800
	Difference between the existing grades of pay of Dt. Munsifs and Sub Judges and the unified scale of pay i.e. item (4) minus item (3).	57,334.

As a natural consequence of the scheme of separation the above item of expenditure has perhaps to be debited to the net cost of the scheme. This can, however, be met from the savings to accrue as a result of the scheme.

Finance may see for remarks.

S.B./115.48

FINANCE DEPTT.

Please see the note of Public (Separation) on pp 1-2 above.

The detailed proposals regarding the scales of pay to be sanctioned to the Dt. Magistrates, Sub Divisional Magistrates, etc., in the new set up when the judiciary is separated from the executive have not yet been examined in this Deptt. Only the general aspects relating to the scheme for the separation of judiciary from the executive have been discussed in the top file and this Deptt. generally agreed to the scheme from the financial point of view. In the circumstances the views of Public (Separation) may tentatively be agreed to in this Deptt. subject to detailed examination of scale of pay later.

2. A on p. 1 above: It is usual to take into account the appriate dearness allowance for the purpose of general estimate of cost. Public (Separation) may do likewise in the present case also. (The estimates of cost are generally based on the average of the scales of pay and not on the pay of individuals.)

3. The scale of pay of Dt. Munsifs has since been revised to Rs. 300-50/2-500 in G.O. 1815 Home dated 12-5-1948. Public (Separation may revise the estimate of cost on the basis of the revised scales of pay.

4. With the above remarks, the case may be returned to Public (Separation).

xx/26.5.1948

PUBLIC (SEPARATION) DEPTT.:-

Fin. have tentatively agreed to the proposals at pp 2-3 abov subject to detailed examination of the scales of pay later. The Dt. Munsifs are now in the time scale of Rs. 300-50/2-500, vide G.O. No. 1815 Home dated the 12th May 1948. In the light of the new scales of pay allowed to the Dt. Munsifs the estimated cost of bringing Sub Judges and District Munsifs into a single time-scale as envisaged by the Cabinet Committee is worked out below. Finance is of the view that the Dearness Allowance payable to the officers as per the proposed scales of pay should also be taken into account. This is also worked out and is shown along with the estimated cost.

(1) Average cost of existing 39 sub judges on the scale of Rs.550-50/2-700 (Average cost Rs.646.7) for one year i.e. Rs.646.7 x 39 x 12.	3,02,666	~~39,780~~
Dearness Allowance payable.		39,780
(2) Average cost of 141 Dt. Munsifs on a scale of Rs. 300-50/2-500 (Average cost Rs.424.4) i.e. Rs. 424.4 x 141 x 12.	7,18,084.8	
Dearness Allowance payable...		18,440
(3) Total of items (1) and (2)..	10,20,750.8	1,58,220
(4) Average cost per annum if all the Dt.Munsifs and Sub Judges are brought on to the scale of Rs.250-700 (Average cost Rs.480) of 180 officers (141 Dt.Munsifs and 39 Sub Judges) Rs. 480 x 180 x 12. ..	10,36,800	
Dearness Allowance payable.		1,51,200
fference between the existing grades of pay Dt. Munsifs and Sub Judges and the unified scale of pay i.e. item (4) minus item (3).	16,050	- 7,020

It will be seen from the above that the cost of conversion works out only to at Rs. 16,050, while the conversion results in a saving of Rs. 7020 to Government under Dearness allowance.

The above is on the basis that the officers in the new Provincial Judicial Cadre (to comprise of Sub Judges, District Munsifs and Sub Divisional Magistrates) will be, as previously decided by the Cabinet Committee, in the scale 250-700. The question whether, by virtue of the rise in the scale of pay for District Munsifs recently sanctioned by the Government, there should be a corresponding rise in the scale of pay for the combined judicial cadre (to 300-700) is for the Cabinet Committee to decide and orders in this bahalf will be sought for at its next meeting.

If the Cabinet Committee decides to raise the scale to Rs.300-700, the consequential increase in the cost of the Scheme will be composed of -

(A) the increase on accounts of the 44 new officers (S,D.Ms) to be created; and

(B) the increase on account of the conversion of the existing two separate cadres of Dt. Munsifs and Sub Judges into one single cadre.

These are worked out below, on the basis of the restive average cost and of the D.A.

	Pay Rs	Dearness Allowance Rs
A. Extra cost per annum if 44 SDMs in the scale 250-700 (average 400) are brought on to the scale 300-700 (average 513.3) 44 x 33 ~~xx~~.3 x 12.	17,582.4	
-do- on account of Dearness Allowance 15 x 12 x 44.		7,920
B. Present (1) Cost of the exsting 39 Sub Judges and 141 Dt.Munsifs in the new scale (see above)	10,20,750-8	1,58,220
(2) Cost per annum if all the Dt.Munsifs and Sub Judges are brought on to the scale 300 - 700 = 180 x 513.3 x 12. ..	11,08,728	1,83,600
Net Extra Cost. = A+B(2) - B(1)		
" Pay =	1,05,559.6	
" D.A =	33,300.0	
Total. =	1,38,859.6.	

This may again be sent to Finance for remarks before it is submitted to the Cabinet Committee for orders.

(It will be seen that if the Cabinet Committee decides to increase the scale to Rs- 300-700, the savings on account of the scheme would be reduced to Rs. 1,88,981 - 1,38,859/6 or Rs. 50,121-4 only.)

S.B/2.6.1948

P.V.B(alakrishna Iyer)/6.6
Secretary

FINANCE DEPTT.

Please see the further notes of Public on pp 3-5 above. No special remarks seem called for in this Deptt. in view of "A" on p. 4 above.

It would appear necessary to start all these officers on Rs. 300

xx/11.6.1948

PUBLIC (SEPARATION) DEPTT.

Please see the remarks of the Finance Deptt. on p. 5 above. Fin. agree to the proposal to convert the scale of the combined cadre from Rs. 250-700 into Rs 300-700. This may be placed before the Cabinet Committee at its next meeting, for orders.

S.I/14.6.1948

P.V.B/14.6.1948

At its meeting on 3-8-1948, the Cabinet Committee tentatively approved the proposal to raise the minimum of the scale of pay proposed for the S.D.Ms under the scheme of separation from Rs.250-700 to Rs. 300 -700. This may lie over till final

orders on the scheme are passed.

L.O

S.B/4.X.1948

G.O. No. 3411 dated the 31st December 1948.

Abstract

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SEPARATION OF THE JUDICIARY FROM THE EXECUTIVE - Conversion of the scales of pay of the District Munsifs to bring it line with the pay of Sub-Divisional Magistrates - Papers - Recorded.

'True copy'

Office Assistant,
Madras Record Office, Egmore